

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

**BRIAN D. SHEAFFER,
Defendant**

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:
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No. 1:18-cr-00317-YK

(Judge Kane)

ORDER

AND NOW, on this 29th day of June 2020, upon consideration of Defendant's "motion to convert custodial sentence to home confinement with electronic monitoring." (Doc. No. 54), and in accordance with the Memorandum issued concurrently with this Order, **IT IS**

ORDERED THAT:

1. Defendant's motion is **DENIED WITHOUT PREJUDICE** for failure to exhaust administrative remedies to the extent that Defendant's motion requests compassionate release pursuant to 18 U.S.C. § 3582;
2. Defendant's motion is **DENIED** to the extent that the motion requests that this Court review the decision of the Bureau of Prisons denying Defendant's request to be placed in home confinement;
3. The Clerk of Court is directed to docket Defendant's motion (Doc. No. 54) as an emergency 28 U.S.C. §2241 habeas petition and assign a civil case number to it; and
4. The Clerk of Court is directed to forward to Defendant's counsel the appropriate paperwork for completion to be returned to the Court, including the payment of the required filing fee.

s/ Yvette Kane
Yvette Kane, Judge
United States District Court
Middle District of Pennsylvania